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**Date • November 16, 2006**

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**Transmit To • Examiner Patel**

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**Client ID/Matter No. • 0806995.0157**

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**OFFICE OF PETITIONS**

**COMMENTS:** Serial No. 09/397,704, filed 9/16/99

In response to your telephone call, attached is the response filed to the office action dated 12/13/2002 in the above application. The office action is also attached for your reference.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Altomare *et al.*

Confirmation No. 9091

Application No.: 09/397,704

Group Art Unit: 2164

Filed: September 16, 1999

Examiner: Akers, G.

For: SYSTEM AND METHOD FOR  
ADMINISTERING PRINCIPAL  
PROTECTED EQUITY LINKED  
FINANCIAL INSTRUMENTS

Attorney Docket No.: 6925-196

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**OFFICE OF PETITIONS**

**RESPONSE TO OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed December 13, 2002, applicants submit the following remarks.

**REMARKS**

In paragraphs 4-19 of the Office Action, the Examiner rejects claims 1-2, 4, 6-12, 14, 15, 25, 26, 28-36, 38-44 as obvious under 35 U.S.C. § 103(a) over U.S. Patent No. 5,802,501 to Graff ("Graff") in view of U.S. Patent No. 5,812,987 to Luskin *et al.* ("Luskin"), CIBC World Markets ("CIBC"), The Canadian Jewish News (2/11/99) ("CJN"), Satyajit, "Structured Notes and Derivative Embedded Securities" (1/96) ("Satyajit"), and U.S. Patent No. 6,321,212 to Lange ("Lange"). Applicants respectfully traverse these rejections for at least the following reasons.

Graff teaches a system for dividing property into two components: an estate for years and a remainder interest. Graff discloses two main embodiments for his system. In the first embodiment, the divided property is real estate, and Graff discloses that ownership of each component can be held by a trust. In the second embodiment, the divided property may be individual tax-exempt securities or a pool of such securities (e.g., general obligation bonds, industrial revenue bonds, etc.; col. 4, ll. 2-8). With respect to the second embodiment, Graff suggests that a partnership should hold the tax-exempt securities, rather than a trust (col. 4, ll. 26-30).

6925-196 Response

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